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FILED WITH

DEC 17 2010

UNITED STATES
MAGISTRATE JUDGE
SAMUEL ALBA

IN THE UNITED STATES DISTRICT COURT

DISTRICT OF UTAH, CENTRAL DIVISION

SEALED

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MARK ERIC BAYNE,

Defendants.

FELONY COMPLAINT

Case No. 2:10-MJ-339 SA

VIO. 18 U.S.C. § 875(c), THREATS IN
INTERSTATE COMMERCE

Before Samuel Alba, United States Magistrate Judge for the District of Utah, appeared
the undersigned, who on oath deposes and says:

COUNT I

On or about November 26, 2010, in the Central Division of the District of Utah,

MARK ERIC BAYNE,

2. As a Special Agent, your affiant is authorized to investigate violations of the laws of the United States and is a law enforcement officer with the authority to execute warrants issued under the authority of the United States.

FACTS AND CIRCUMSTANCES

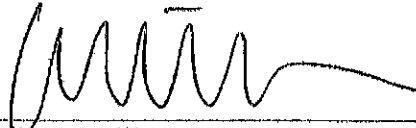
3. The statements in this affidavit are based in part on information provided by State of Utah Department of Public Safety law enforcement officers and on my experience and background as a Special Agent of DHS/FPS. I have set forth the facts that I believe are necessary to establish probable cause to believe that MARK ERIC BAYNE has committed violations of Title 18 United States Code, Section 875(c).

4. Your affiant knows that MARK ERIC BAYNE accesses Facebook from computers located at the Salt Lake Community College. As recently as December 15, 2010, your affiant was informed by a State of Utah Department of Public Safety (DPS) law enforcement officer that he personally observed MARK ERIC BAYNE at the Salt Lake Community College accessing his Facebook page.

5. On MARK ERIC BAYNE's Facebook page, under user information, the email address listed is markericbayne@gmail.com. Your affiant knows that MARK ERIC BAYNE has utilized markericbayne@gmail.com to send emails to federal, state and private institutions, including educational institutions. In those emails, he has expressed deep-seeded anger, and used vulgar epithets to demean the recipients and the particular institutions they represent. In the emails, he has also expressed threatening language stating an intention to commit violent acts upon individuals and institutions as retaliation against those that he believes have wronged him.

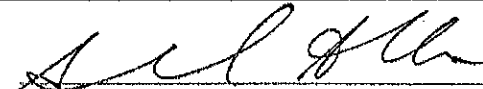
CONCLUSION

Based upon the foregoing, your affiant believes there is probable cause to believe that MARK ERIC BAYNE, transmitted in interstate or foreign commerce any communication containing any threat to injure the person of another, all in violation of Title 18 United States Code, Section 875(e).



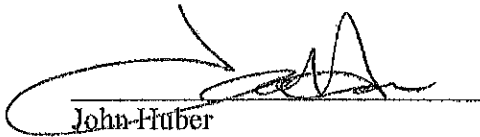
Eric M. Miller
Special Agent
Department of Homeland Security
Federal Protective Service

Sworn and subscribed before me this 17th day of December, 2010



Samuel Alba
UNITED STATES MAGISTRATE JUDGE

Approved:



John Huber
Assistant United States Attorney